

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 564 OF 1998**

Dr. Shashikant Ramchandra Randhir ..Appellant

versus

1. Mr. Ramchandra Tukaram Randhir

2. Sou. Suman Ramchandra Randhir

3. The Maharashtra Executors and

Trustees Co. Ltd. Pune ..Respondents

Mr. V. S. Gokhale for the Appellant.

None for the Respondents.

CORAM : D. G. DESHPANDE, J.

DATE : 7TH MARCH ,2005

ORAL ORDER :

1. Heard counsel for the Appellant. Nobody is present for the Respondents.

2. This Appeal is filed by the uncle of Anagha. Her parents expired in an accident that occurred on 25.10.1985. There was a claim between the grand father and grand mother of Anagha on one side and between the present appellant who is the uncle. The IIIrd Extra joint District Judge, Pune, appointed the grand parents as a guardian of the person of the

minor. There is no stay to the said order. The court also appointed The Maharashtra Executors and Trustees Company Ltd. Pune, as a guardian of the property and belonging of the minor Anagha. That order is also not stayed.

3. Counsel for the appellant pointed out that date of birth of Anagha is 13.1.1985. She has completed 20 years. He further pointed out that Anagha is now in 3rd year of B.A. The question is only of custody. Now at this stage she can make her own decisions as to who should have her custody or whether she wants to live with the appellant or with her grand parents. The Appeal has therefore become practically infructuous and no purpose will be served now by directing Anagha to go either with the appellant or with the grand parents. Therefore, in that view of the matter, nothing remains in this appeal. The same is dismissed. No order as to costs.

7.03.2005

(D.G. DESHPANDE, J.)